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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,867	05/30/2001	Richard J. Qian	10559/476001/P11155	8975

7590

07/16/2004

Kevin Reif  
c/o BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025

EXAMINER

RONES, CHARLES

ART UNIT	PAPER NUMBER
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2175

16

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/870,867

Applicant(s)

QIAN, RICHARD J.

Examiner

Charles L. Rones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12,14-22 and 24-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12,14-22 and 24-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Amendment*

The amendment timely filed on May 27, 2003 has been entered.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan et al. U.S. Patent No. 6,236,395 ('**Sezan**') in view of Kelts, U.S. Patent Application No. 2001/0030667 ('**Kelts**').

**Sezan** discloses:

As to claims 1, 11, and 21,

searching the media sources for content and metadata based on a search criteria; See 7:15-67; 8:1-30; 9:8-25;

parsing the metadata from the sources; See 9:8-25;

receiving user preference information from a user; See 5:10-31; 10:38-65;

integrating content and metadata corresponding to the search criteria according to the user preference information and based on the result of the parsing; See 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67; and

displaying an integrated content concurrently on one or more user displays; See 27:1-48.

Sezan discloses the claimed invention except for the receiving preference from a content service provider and sending the integrated content and metadata to the content service provider. Kelts teaches that it is known to receive preference from a content service provider and sending the integrated content and metadata to the content service provider. It would have been obvious to one having ordinary skill in the art at the time the invention was made to receive preference from a content service provider and sending the integrated content and metadata to the content service provider as taught by Kelts, since Kelts states at paragraphs [0103-0107] that such a modification would allow different presentation devices and different user preferences to be user-specific and managed by the system.

As to searching multiple media sources (plurality of information sources) for content (various content sources) and metadata (music, video or the like); See Kelts: Abstract.

As to claims 2, 12, and 22,

providing the integrated content and the metadata to an information presenter;

See 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67; 27:1-48.

As to claims 3, 13, and 23,

providing the integrated content and the metadata resulting from the parsing to a content service provider; See 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

As to claims 4, 14, and 24,

wherein the sources comprise television programs, Internet broadcasts, and worldwide web pages; See 11:6-21.

As to claims 5, 15, and 25,

wherein a data description manager passes the metadata resulting from the parsing and an associated content to an information integrator using an extensible markup language (XML); See 14:41-67.

As to claims 6, 16, and 26,

wherein a data description manager passes the metadata resulting from the parsing and an associated content to an information integrator via an Application Programming Interface (API); See 12:48-55.

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As to claims 7, 17, and 27,

wherein the content is associated with one or more metadata descriptions; See 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

As to claims 8, 18, and 28,

wherein a multi-modal analysis engine creates the metadata description; See Figs. 2-3, and 13; 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

As to claims 9, 19, and 29,

wherein the multi-modal analysis engine comprises a video analyzer, an audio analyzer, and a digital analyzer; See Figs. 2-3, and 13; 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

As to claims 10, 20, and 30,

storing the integrated content for access at anytime by the user; See Figs. 2-3, and 13; 5:10-31; 9:8-25; 10:38-65; 12:1-67; 26:40-67.

Claims 1-5, 7-15, 21-25, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sull et al. U.S. Patent Publication No. 2002/0069218 ('**Sull**') in view of Kelts, U.S. Patent Application No. 2001/0030667 ('**Kelts**').

**Sull** discloses:

As to claims 1, 11, and 21,

searching the media sources for content and metadata based on a search criteria; See Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475];

parsing the metadata from the sources; See Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475];

receiving user preference information from a user; See Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475];

integrating the content and the metadata according to the user preference information and based on the result of the parsing; See Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475]; and

displaying an integrated content concurrently on one or more user displays; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

Sull discloses the claimed invention except for the receiving preference from a content service provider and sending the integrated content and metadata to the content service provider. Kelts teaches that it is known to receive preference from a content service provider and sending the integrated content and metadata to the content service provider. It would have been obvious to one having ordinary skill in the art at the time the invention was made to receive preference from a content service provider and sending the integrated content and metadata to the content service provider as taught by Kelts, since Kelts states at paragraphs [0103-0107] that such a

modification would allow different presentation devices and different user preferences to be user-specific and managed by the system.

As to claims 2, 12, and 22,

providing the integrated content and the metadata to an information presenter;

See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 3, 13, and 23,

providing the integrated content and the metadata resulting from the parsing to a content service provider; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 4, 14, and 24,

wherein the sources comprise television programs, Internet broadcasts, and worldwide web pages; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 5, 15, and 25,

wherein a data description manager passes the metadata resulting from the parsing and an associated content to an information integrator using an extensible markup language (XML) ; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].



As to claims 7, 17, and 27,

wherein the content is associated with one or more metadata descriptions; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 8, 18, and 28,

wherein a multi-modal analysis engine creates the metadata description; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 9, 19, and 29,

wherein the multi-modal analysis engine comprises a video analyzer, an audio analyzer, and a digital analyzer; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

As to claims 10, 20, and 30,

storing the integrated content for access at anytime by the user; See Figs. 2-3; Abstract; [0162-164]; [0174-0175]; [0325]; [0465]; [0474-0475].

### ***Response to Arguments***

Applicant's arguments that the modified invention of Sezan does not include multiple media sources.

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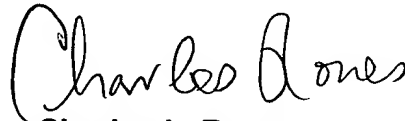
In response, Examiner maintains that Sezan discloses such as describe above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.



**Charles L. Rones  
Primary Examiner  
Art Unit 2175**

July 13, 2004